

jc857 U.S. PTO  
09/928457  
08/14/01

Sir:

Attached for filing is the patent application of:

Inventor: NASSIF et al

Title: DNA AND PROTEINS OR PEPTIDES SPECIFIC OF THE  
 NEISSERIA MENINGITIDIS SPECIES BACTERIA, METHOD  
 FOR OBTAINING THEM AND THEIR BIOLOGICAL  
 APPLICATIONS

~~and~~<sup>52</sup>including attachments as noted below:

Newly executed Declaration, ☒ Copy of Declaration from prior application, ☐ Abstract  
pages of specification and claims (including 32 numbered claims), and  
sheets of accompanying drawing/s.

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

| Application Number | Country | Day/Month/Year Filed |
|--------------------|---------|----------------------|
| 96 08768           | France  | 12 07 1996           |
| PCT/FR97/01295     |         | 11 07 1997           |

, respectively, the entire content of which is hereby incorporated by reference in this application..

Certified copy(ies) of foreign application(s) is/are attached.

Certified copy(ies) filed on April 22, 1999 in prior appln. no. 09/214,759 filed January 12, 1999

Please amend the specification by inserting the following paragraph before the first line: --This application is a ☒ continuation/☐ division/☐ continuation-in-part of Application No. 09/214,759, filed January 12, 1999, , the entire content of which is hereby incorporated by reference in this application.--

Petition filed in prior application to extend its life to insure co-pendency.

☒ The prior application is assigned to 1) INSTITUT NATIONAL DE LA SANTE ET DE LA RECHERCHE MEDICALE (I.N.S.E.R.M.); (2) MAX-PLANCK-GESELLSCHAFT ZUR FÖRDERUNG DES WISSENSCHAFTEN E.V.; (3) SMITHKLINE BEECHAM

It is hereby requested that the Examiner consider the art cited in the parent application by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached and return of an initialed copy of the same, pursuant to MPEP § 609 is requested.

Applicant claims "small entity" status. ☐ "Small entity" statement attached.

Please enter the attached and/or below preliminary amendment **prior** to calculation of filing fee:

Also attached: ☒ Information Disclosure Statement; ☐ Non-Publication Request; ☒ Nucleotide and/or Amino Acid Sequence Submission; ☐ Statement deleting Inventor(s) named in prior application; ☐ Other: Request

**FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY HERewith CANCELED**

|  |    |                      |    |            |                           |         |
|--|----|----------------------|----|------------|---------------------------|---------|
| Basic Filing Fee   |    |                      |    |            | \$                        | 0.00    |
| Total effective claims   | 32 | - 20 (at least 20) = | 12 | x \$ 18.00 | \$                        | 0.00    |
| Independent claims   | 1  | - 3 (at least 3) =   | 0  | x \$ 80.00 | \$                        | 0.00    |
| If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper) |    |                      |    |            | \$                        | 0.00    |
|  |    |                      |    |            | <b>SUBTOTAL</b>           | \$ 0.00 |
| If "small entity," then enter half (1/2) of subtotal and subtract                                |    |                      |    |            | -\$                       | (0.00)  |
|  |    |                      |    |            | <b>SECOND SUBTOTAL</b>    | \$ 0.00 |
| Assignment Recording Fee (\$40.00)   |    |                      |    |            | \$                        | 0.00    |
|  |    |                      |    |            | <b>TOTAL FEE ENCLOSED</b> | \$ 0.00 |

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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**NIXON & VANDERHUYE P.C.**

By Atty: B. J. Sadoff, Reg. No. 36,663

Signature:

Jordan

**NASSIF et al**


**Serial No. Unknown**

Continuation of Serial No. 09/214,759

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



**B. J. Sadoff**

Reg. No. 36,663

**BJS:eaw**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

**NASSIF et al**

Atty. Ref.: **1721-34**

Serial No. Unknown

Continuation of Serial No. 09/214,759

Group:

Filed: **August 14, 2001**

Examiner:

For: **DNA AND PROTEINS OR PEPTIDES SPECIFIC OF THE  
NEISSERIA MENINGITIDIS SPECIES BACTERIA,  
METHOD FOR OBTAINING THEM AND THEIR  
BIOLOGICAL APPLICATIONS**

\* \* \* \* \*

**August 14, 2001**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

**REQUEST**

The attached paper copy of the Sequence Listing is the same as the paper and computer readable copies of the Sequence Listing filed in the parent Application No. 09/214,759 on December 10, 1999. The Office is requested to use the computer-readable copy of the Sequence Listing filed on December 10, 1999, in the parent Application No. 09/214,759, for the present application. The attached paper copy of the Sequence Listing is the same as the computer-readable copy of the Sequence Listing filed on December 10, 1999, in the parent Application No. 09/214,759. No new matter has been added.

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